

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 7647

Petition of Penn Energy Trust, LLC for a)
Certificate of Public Good, pursuant to 30 V.S.A.)
§ 248, authorizing the installation and operation)
of a 2.2 MW solar electric generation facility)
located at the southeast corner of the intersection)
of Route 103 and Route 7 in Clarendon, Vermont)

Order entered: 9/2/2010

PREHEARING CONFERENCE MEMORANDUM
AND SCHEDULING ORDER

On May 3, 2010, Penn Energy Trust, LLC ("Penn Energy") filed a petition with the Public Service Board requesting a certificate of public good under 30 V.S.A. § 248 to install and operate a 2.2 MW solar electric generation facility located at the southeast corner of the intersection of Route 103 and Route 7 in Clarendon, Vermont.

On August 27, 2010, I held a prehearing conference in this Docket. Appearances were entered by: Kirt Mayland, Esq.,¹ on behalf of Penn Energy; Louise Porter, Esq., on behalf of the Vermont Department of Public Service; and Judith Dillon, Esq., on behalf of the Vermont Agency of Natural Resources (collectively, "the Parties"). Also present was Diane Zamas, Esq., on behalf of the Vermont Agency of Agriculture, Food & Markets.

At the prehearing conference, Mr. Mayland stated that Penn Energy did not want to schedule formal proceedings at this time, though he stated that Penn Energy would work with state agencies and adjoining landowners in an informal process. Mr. Mayland explained that

1. Mr. Mayland is not currently licensed to practice law in the State of Vermont. However, Mr. Mayland serves as General Counsel with Penn Energy and will, pursuant to Board Rule 2.201(B), represent Penn Energy in this capacity.

Penn Energy is currently third on the waiting list for the solar standard-offer queue and anticipates securing a standard-offer contract. Mr. Mayland also described some uncertainties facing developers in the standard-offer queue and, in light of these uncertainties, the Parties agreed to forgo the adoption of a formal schedule and, instead, agreed to file a status report on or before November 15, 2010. The parties also agreed to work together to file one, joint report. I adopt this reporting date and note that Penn Energy may propose a revised schedule at any time before November 15.

SO ORDERED.

Dated at Montpelier, Vermont, this 2ND day of September, 2010.

s/ Bridgette Remington
Bridgette Remington, Esq.
Hearing Officer

OFFICE OF THE CLERK

FILED: September 2, 2010

ATTEST: s/ Susan M. Hudson
Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)